

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bruno DE LIGNIERES
Title: TREATMENT OF MASTALGIA WITH 4-
HYDROXY TAMOXIFEN
Appl. No.: 10/734,640
Filing Date: 12/15/2003
Examiner: U. Ramachandran
Art Unit: 1627
Confirmation Number: 9061

APPLICANTS' RESPONSE TO EXAMINER'S REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Notice of Allowance mailed February 2, 2010, in the captioned application includes an Examiner's Statement of Reasons for Allowance. To the extent that the Examiner's Statement may focus on or highlight specific aspects of the invention or specific arguments made during prosecution, Applicant responds that it is the invention as a whole that is patentable, as shown by the record as a whole. Moreover, to the extent that the Examiner's Statement may identify specific references as the "closest prior art," or may characterize the teachings of cited references, Applicant responds that the references speak for themselves. To the extent that the Examiner's Statement may find that the invention is distinguished from specific cited references, Applicant responds that the invention is believed to be patentable over all cited references.

In particular, the record shows that methods of treatment for mastalgia, comprising administering percutaneously to the breasts of a patient having mastalgia a composition

comprising 4-hydroxy tamoxifen as the sole therapeutically active ingredient, at a dose of at least 1.5 mg/day 4-hydroxy tamoxifen, are not taught or suggested by any combination of the cited references.

Respectfully submitted,

Date March 23, 2010

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